

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

INDECK KEYSTONE ENERGY LLC,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 04-325 Erie
	:	
VICTORY ENERGY OPERATIONS	:	Judge Sean J. McLaughlin
LLC,	:	
	:	
Defendant	:	JURY TRIAL DEMANDED

**DEFENDANT'S MOTION TO WITHDRAW
ITS PREVIOUSLY FILED MOTION FOR PRE-TRIAL FINDING
THAT THE LICENSE AGREEMENT DID NOT PROHIBIT THE USE OF
TECHNICAL INFORMATION AFTER EXPIRATION OF THE AGREEMENT**

Defendant, Victory Energy Operations, LLC, hereby moves to withdraws its previously filed Motion for Pre-Trial Finding that the License Agreement Did Not Prohibit the Use of Technical Information After Expiration of the Agreement.

Dated: May 3, 2007

Respectfully submitted,

/s/ Matthew M. Garrett

One of the Attorneys for Defendant,
VICTORY ENERGY OPERATIONS
LLC

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CERTIFICATE OF SERVICE

Matthew M. Garrett, an attorney, certifies that on the 3rd day of May, 2007, he caused a copy of the foregoing *Motion to Withdraw its Previously Filed Motion for Pre-Trial Finding that the License Agreement Did Not Prohibit the Use of Technical Information After Expiration of the Agreement* to be filed electronically, and that the CM/ECF system for the court will e-mail a copy of the foregoing to the following counsel of record:

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KEYSTONE ENERGY LLC

/s/ Matthew M. Garrett
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